

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

April 25, 2006

3:30 P.M. SCHEDULED SESSION

3:33 P.M. MEETING COMMENCED

**ROLL CALL:** Dedrick Brittenum, Joe Brown, Carol Chumney, Edmund Ford, Barbara Swearengen Holt, E. C. Jones, Myron Lowery, Tom Marshall, Scott McCormick, Jack Sammons, Brent Taylor and Chairman TaJuan Stout Mitchell  
Rickey Peete was absent

THE MEETING WAS CALLED TO ORDER  
BY THE SERGEANT-AT-ARMS

INVOCATION

The meeting was opened with prayer by Rev. Mark Matheny from St. Luke’s United Methodist Church. Chumney presented Rev. Matheny with a certificate naming him Chaplain of the day.

The original of the ordinances, resolutions and documents relating to each item is filed in the office of Council Records and on microfilm in the office of Records Management, Room 2B-08. The original documents shall control in the event of any conflict between the description in these minutes and the original documents.

35. **ORDINANCE AMENDING SECTION 29, SIGNS AND SECTION 30, NONCONFORMITIES, UP FOR T H I R D AND F I N A L READING.** (Held from 10/25; 11/1;11/15;12/06; 12/20; 1/03; 1/17; 2/7; 3/7)
- Ordinance No. 5136  
Case No. ZTA 05-001cc

Held to May 2, 2006

37. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON WESLEY DRIVE, BETWEEN PACE ROAD AND FARONIA ROAD, CONTAINING 1.139 ACRES.** (Held from 11/01; 1/17; 2/7; 3/7)
- Case No. SAC 05-610

Held to August 15, 2006

38. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTH SIDE OF OLD BROWNSVILLE ROAD; +206 FEET EAST OF BRUNSWICK ROAD, CONTAINING 16.61 ACRES IN THE AGRICULTURAL (AG) & SINGLE FAMILY RESIDENTIAL (R-S10) DISTRICTS.**
- Case No. PD 05-375cc

Held to June 6, 2006

40. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF MADISON AVENUE AND EDGEWOOD STREET, CONTAINING .78 ACRE IN THE DUPLEX RESIDENTIAL (R-D) DISTRICT.**
- Case No. PD 06-301

Held to May 2, 2006

MAYOR HERENTON PRESENTED HIS 2006-2007 BUDGET TO THE MEMPHIS CITY COUNCIL

CONSENT AGENDA – Items 1-10 may be acted upon by one motion. SEE PAGE 1869 FOR ROLL CALL

1.     **ORDINANCE REZONING THE SOUTHWEST CORNER OF VANCE AVENUE AND BOYD STREET, CONTAINING 0.24 ACRE (10,323 SQ. FT.), IN THE HIGHWAY COMMERCIAL (C-H) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5160  
Case No. Z 06-102

APPROVED, on Second reading

2.     **ORDINANCE REZONING THE NORTH SIDE OF BALL ROAD; +714 FEET WEST OF AIRWAYS BOULEVARD, 6.516 ACRES IN THE LIGHT INDUSTRIAL (I-L) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5161  
Case No. Z 06-101

APPROVED, on Second reading

3.     **ORDINANCE REZONING THE WEST SIDE OF MOUNTAIN TERRACE STREET; +135 FEET NORTH OF JAMES ROAD, CONTAINING 4.44 ACRES IN THE DUPLEX RESIDENTIAL (R-D) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5162  
Case No. Z 06-103

APPROVED, on Second reading

4.     **ORDINANCE REZONING THE SOUTH SIDE OF MONROE AV.; ±300 FT. EAST OF MCNEIL ST., CONTAINING 12,987 SQ. FT. (0.30 ACRE), IN THE MULTIPLE DWELLING RESIDENTIAL (R-MH) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5163  
Case No. Z 06-104

APPROVED, on Second reading

5.     **ORDINANCE REZONING THE NORTHEAST CORNER OF MCCORKLE ROAD AND CRESCENT AVENUE, CONTAINING 86,651 SQ. FT. (1.99 ACRES) IN THE TOWNHOUSE RESIDENTIAL (R-TH) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5164  
Case No. Z 05-126

APPROVED, on Second reading

6.     **RESOLUTION ACCEPTING AGNES PLACE PD, PHASE 1, AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 02-346  
(Contract No. CR-4887)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the west side of Range Line Road (North Hollywood Street), 183.63 feet north of Hawkins Mill Road. The standard improvement contract was approved on August 3, 2004. Resolution also authorizes the release of the Letter of Credit (No. 0181520) in the amount of \$41,000.00.

City Engineer recommends approval

APPROVED

7.       **RESOLUTION APPROVING FINAL PLAT OF MALONE PARK SUBDIVISION, SECTION A.**

Case No. S 03-023  
Contract No. CR-5007

Resolution approves the final plat located on the southwest corner of Latham Street and EH Crump Blvd. Cost of the required improvements to be borne by the Owner and the Contractor. Resolution also authorizes the proper officials to executive the attached standard improvement contract.

City Engineer recommends approval

**APPROVED**

8.       **RESOLUTION APPROVING FINAL PLAT OF MEMPHIS INTERMODAL FACILITY PARKING IMPROVEMENTS.**

Contract No. CR-5008

Resolution approves the final plat located on the north side of US Hwy 78 at the intersection of Pleasant Hill Road. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

**APPROVED**

9.       **RESOLUTION APPROVING ENGINEERING PLANS OF BAPTIST MEMORIAL HOSPITAL BOX CULVERT, SOUTH OF WALNUT GROVE ROAD.**

Contract No. CR-5009

Resolution approves the final plat located on the south side of Walnut Grove Road, east of Brierview Street. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

**APPROVED**

10.      **NOTATIONS FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASES WERE HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

- A.       Case No. PD 06-305 – Stage Oaks Condominiums P.D.
- B.       Case No. S 06-003 – James J. Palmer Subdivision

Public Hearing Set for May 2, 2006

**ROLL CALL CONSENT ITEMS**

MOTION:     Holt  
SECOND:     Marshall  
AYES:        Brittenum, Brown, Chumney, Ford, Holt, Jones, Marshall, McCormick, Sammons, Taylor and Chairman Mitchell  
              Lowery did not cast a vote  
              Peete was absent

**APPROVED**

**MLGW FISCAL CONSENT – Items 11-26 may be acted upon by one motion**

11. **RESOLUTION AWARDDING CONTRACT NO. 11087, HVAC UPGRADE AT MCCORD PUMPING STATION AND CHILLER REPLACEMENT FOR THE WATER QUALITY LABORATORY, TO AIR TECHNICAL SERVICES, INC., IN THE FUNDED AMOUNT OF \$76,464.00.**

**APPROVED**

12. **RESOLUTION AWARDDING CONTRACT NO. 11095, CHILLER REPLACEMENT FOR BEALE STREET LANDING GARAGE, TO BARNES AND BROWER, INC., IN THE FUNDED AMOUNT OF \$169,294.00.**

**APPROVED**

13. **RESOLUTION AWARDDING CONTRACT NO. 11101, REROOF FIVE BUILDINGS AT BRUNSWICK AND CENTRAL SHOPS, TO B FOUR PLIED, INC., IN THE FUNDED AMOUNT OF \$564,382.00.**

**APPROVED**

14. **RESOLUTION AWARDDING CONTRACT NO. 11102, REROOF SIX MLGW BUILDINGS AT VARIOUS LOCATIONS, TO TREADWELL-CHAMBERS ROOFING, INC., IN THE FUNDED AMOUNT OF \$409,352.00.**

**APPROVED**

15. **RESOLUTION AWARDDING CONTRACT NO. 11104, NORTH SERVICE CENTER BOILER UPGRADE BUILDING NO. 8, TO CS3, INC., IN THE FUNDED AMOUNT OF \$98,800.00.**

**APPROVED**

16. **RESOLUTION APPROVING CHANGE NO. 7 TO CONTRACT NO. 10705, ORACLE SOFTWARE LICENSE AND SERVICES AGREEMENT, WITH ORACLE INC., IN THE FUNDED AMOUNT OF \$113,054.98. (THIS RENEWS THE SUPPORT SERVICES FOR THE ORACLE SUITE/APPLICATION FOR THE PERIOD MAY 29, 2006 TO MAY 28, 2007.)**

**APPROVED**

17. **RESOLUTION APPROVING EXPEDITED PROCUREMENT REQUEST FOR CHANGE NO. 4 TO CONTRACT NO. 10918, OUT-OF-STATE AUTO INSURANCE, WITH PETE MITCHELL & ASSOCIATES, INC., IN THE FUNDED AMOUNT OF \$83,281.00. (THIS RENEWS THE CONTRACT FOR A THIRD TERM OF FOUR RENEWAL TERMS COVERING THE PERIOD MARCH 15, 2006 TO MARCH 15, 2007.)**

**APPROVED**

18. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 10999, GPS CELLULAR SERVICES, WITH SPRINT NEXTEL, INC., FORMERLY NEXTEL COMMUNICATIONS, IN THE FUNDED AMOUNT OF \$38,000.00. (THIS RENEWS THE CONTRACT FOR A SECOND TERM OF FOUR RENEWAL TERMS COVERING THE PERIOD APRIL 1, 2006 TO MARCH 31, 2007.)**

**APPROVED**

19. **RESOLUTION REQUESTING AMENDMENT TO PURCHASE ORDER NUMBER 123734 FOR CIRCUIT BREAKERS WITH SQUARE D COMPANY, IN THE AMOUNT OF \$630,039.00.**

**APPROVED**

20.     **RESOLUTION AWARDING CONTRACT FOR POWER ANGLE MULTI-METERS AND ACCESSORIES TO MEGGER, IN THE AMOUNT OF \$26,325.00.**

**APPROVED**

21.     **RESOLUTION AWARDING CONTRACT FOR #4/0 AWG WIRE TO TENNESSEE VALLEY ELECTRIC SUPPLY COMPANY, IN THE AMOUNT OF \$151,840.00.**

**APPROVED**

22.     **RESOLUTION AWARDING CONTRACT FOR GROUNDED-FRONT SWITCHGEAR TO TENNESSEE VALLEY ELECTRIC SUPPLY COMPANY, IN THE AMOUNT OF \$131,000.00.**

**APPROVED**

23.     **RESOLUTION AWARDING CONTRACT FOR TRAFFIC SIGNALS TO SUPERIOR TRAFFIC CONTROL, IN THE AMOUNT OF \$47,740.00.**

**APPROVED**

24.     **RESOLUTION AWARDING CONTRACT FOR #2 TRIPLEX CABLE TO UTILICOR, IN THE AMOUNT OF \$170,450.00.**

**APPROVED**

25.     **RESOLUTION AWARDING CONTRACT FOR TOAD FOR ORACLE SOFTWARE LICENSE AND MAINTENANCE TO QUEST SOFTWARE, INC., IN THE AMOUNT OF \$38,105.00.**

**APPROVED**

26.     **RESOLUTION AWARDING 36-MONTH CONTRACT FOR CONCRETE TO CITY CONCRETE, IN THE AMOUNT OF \$3,209,100.00.**

**APPROVED**

**ROLL CALL MLGW FISCAL CONSENT ITEMS**

MOTION:     Ford  
SECOND:     McCormick  
AYES:       Brown, Chumney, Ford, Holt, Jones, Marshall, McCormick, Sammons,  
              Taylor and Chairman Mitchell  
              Brittenum and Lowery did not cast a vote  
              Peete was absent

**APPROVED**

27.     **RESOLUTION APPROPRIATING \$865,000.00 IN G. O. BONDS GENERAL IN CIP PROJECT IS01008 DESKTOP STANDARDIZATION. THIS PROJECT WILL PROVIDE FUNDS TO STANDARDIZE THE CITY’S OPERATING SYSTEMS AND OFFICE SUITE ON IT’S NEARLY 3,500 DESKTOPS.**

MOTION:     Brittenum  
SECOND:     Marshall  
AYES:       Chumney, Ford, Holt, Jones, Marshall, McCormick, Sammons and  
              Chairman Mitchell  
              Brittenum, Brown, Lowery and Taylor did not cast a vote  
              Peete was absent

**APPROVED**

28. **RESOLUTION APPROVING THE SALE OF CITY OWNED PROPERTY LOCATED ON THE EAST SIDE OF HERNANDO AND SOUTH OF WEBSTER ALLEY, TO AMADOR FAJARDO AND CHARLES OGWUDIRE, IN THE AMOUNT OF \$3,900.00.**

Resolution approves the sale of a 65' x 120' parcel located on the east side of Hernando, south of Webster Alley, acquired by the City of Memphis in Tax Sale #3, Chancery Court File #9415-R.D. Exhibit #384 on March 12, 1986. Property identified by the Shelby County Assessor's Office as Ward 011, Block 004, Parcel 016. Per ordinance, the sale of the subject parcel is **NOT** subject to being held over and Resolution approval shall be deemed as approval of sale. Resolution also authorizes the Mayor to execute the necessary documents in connection with the sale.

Director of General Services recommends approval

MOTION: Ford  
 SECOND: Holt  
 AYES: Chumney, Ford, Holt, Jones, Marshall, McCormick and Chairman Mitchell  
 Brittenum, Brown, Lowery, Sammons and Taylor did not cast a vote  
 Peete was absent

**APPROVED**

29. **RESOLUTION AMENDING THE FY 2006 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$500,000.00 FUNDED BY G.O. BONDS-GENERAL FROM CONTRACT CONSTRUCTION WITHIN HCD-STRATEGIC COMM INVESTMENT PROJECT CD01022, TO CONTRACT CONSTRUCTION WITHIN APRILWOODS EAST AND WEST, PROJECT CD01058, FOR INFRASTRUCTURE CONSTRUCTION COSTS.**

MOTION: Holt  
 SECOND: Ford  
 AYES: Chumney, Ford, Holt, Jones, Marshall, McCormick and Chairman Mitchell  
 Brittenum, Brown, Lowery, Sammons and Taylor did not cast a vote  
 Peete was absent

**APPROVED**

MOTION: Marshall – Suspend the rules for the purpose of adding Item #29 to the Minutes of April 11, 2006

Without Objection, rules suspended, Item #29 added to the Minutes of April 11, 2006

30. **RESOLUTION AMENDING THE FY 2006 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$500,000.00 FUNDED BY G.O. BONDS-GENERAL FROM CONTRACT CONSTRUCTION WITH HCD-MIDDLE INCOME DEVELOPER'S ASSISTANCE PROGRAM, PROJECT CD01025, TO CONTRACT CONSTRUCTION WITHIN BELL ESTATES, PROJECT CD01062, FOR INFRASTRUCTURE CONSTRUCTION COSTS.**

MOTION: Holt  
 SECOND: Ford  
 AYES: Brittenum, Ford, Holt, Jones, Marshall, McCormick, Sammons and Chairman Mitchell  
 Brown, Chumney, Lowery and Taylor did not cast a vote  
 Peete was absent

**APPROVED**

31. **RESOLUTION AMENDING THE FY 2006 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$500,000.00 FUNDED BY G.O. BONDS-GENERAL FROM CONTRACT CONSTRUCTION WITHIN HCD-MIDDLE INCOME DEVELOPER'S ASSISTANCE PROGRAM, PROJECT CD01025, TO CONTRACT CONSTRUCTION WITHIN GENESIS ESTATES, PROJECT CD01063, FOR INFRASTRUCTURE CONSTRUCTION COSTS.**

MOTION: Holt  
SECOND: Ford  
AYES: Brittenum, Ford, Holt, Jones, Marshall, McCormick, Sammons, Taylor and Chairman Mitchell  
Brown, Chumney and Lowery did not cast a vote  
Peete was absent

**APPROVED**

MOTION: Holt – Suspend the rules for the purpose of adding Item #30 and Item #31 to the Minutes of April 11, 2006  
SECOND: Ford

Without Objection, rules suspended, Item #30 and Item #31 added to the Minutes of April 11, 2006

32. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$7,000.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF MILITARY TENNESSEE EMERGENCY MANAGEMENT AGENCY FOR THE LEPC TRAINING GRANT TO PROVIDE EQUIPMENT AND OTHER RESOURCES FOR HAZMAT TRAINING AND EXERCISES CONDUCTED BY THE MEMPHIS AND SHELBY COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC). RESOLUTION ALSO AMENDS THE FY 2006 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Chumney  
SECOND: Holt  
AYES: Brittenum, Chumney, Ford, Holt, Jones, Marshall, McCormick, Sammons and Chairman Mitchell  
Brown, Lowery and Taylor did not cast a vote  
Peete was absent

**APPROVED**

33. **RESOLUTION AMENDING THE FY 2006 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING A PREVIOUS ALLOCATION AND APPROPRIATING \$6,655.00 FUNDED BY SEWER REVENUE BONDS FROM REHAB EXISTING SEWERS, PROJECT NUMBER SW02001 TO VANDERGREEN PUMPS PROJECT NUMBER SW02066, FOR THE PURCHASE OF TWO SUBMERSIBLE SEWER PUMPS.**

Director of Public Works recommends approval

MOTION: Jones  
SECOND: Holt  
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Marshall, McCormick, Sammons, Taylor and Chairman Mitchell  
Lowery did not cast a vote  
Peete was absent

**APPROVED**

34. **RESOLUTION AMENDING THE FISCAL YEAR 2006 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING A PREVIOUS ALLOCATION AND APPROPRIATING \$1,080,000.00 FUNDED BY GO BONDS –GENERAL FROM DRAINAGE, CIP PROJECT NUMBER PW03006 TO REHAB STORMWATER STRUCTURES 05, CIP PROJECT NUMBER PW03077, FOR A CONSTRUCTION CONTRACT WITH MOORE CONSTRUCTION FOR THE INSTALLATION OF CURED-IN-PLACE PIPE.**

Director of Public Works and City Engineer recommends approval

MOTION: Jones  
 SECOND: Holt  
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Sammons, Taylor and Chairman Mitchell  
 Peete was absent

**APPROVED**

36. **RESOLUTION APPROVING A ONE-YEAR TIME EXTENSION OF A STREET/ALLEY CLOSURE LOCATED BETWEEN JEFFERSON AVENUE AND COURT STREET, CONTAINING 3,751.25 SQUARE FEET (AREA OF R.O.W.) AND 150.25' (FEET) X 25' (FEET) (LENGTH X WIDTH OF R.O.W.), IN THE CENTRAL BUSINESS (CBD) DISTRICT.**

Case No. SAC 04-614

Applicant: Memphis Center City Commission (Memphis Center City Revenue Finance Corp.)  
 Nathan A. Bicks – Representative

Request: Close & Vacate Alley Street Right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

**No Public Hearing Required; No Opposition at LUCB**

MOTION: Marshall  
 SECOND: Holt  
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Lowery, Marshall, McCormick, Taylor and Chairman Mitchell  
 Jones and Sammons did not cast a vote  
 Peete was absent

**APPROVED**

39. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE WEST SIDE OF HOUSTON LEVEE ROAD; +160 FEET NORTH OF WOODLAND HILLS DRIVE, CONTAINING 0.94 ACRE IN THE PARCEL 6B OF THE WOODLAND HILLS P.D. (CURRENTLY PERMITS OFFICE USES).**

Case No. PD 05-381cc

Applicant: Ethridge Enterprises  
 Jud TePaske (Fisher & Arnold Inc.) – Representative

Request: Revise the boundary separating Parcels 6A and 6B to permit commercial uses

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Marshall  
 SECOND: Ford  
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Lowery, Marshall, McCormick, Sammons, Taylor and Chairman Mitchell  
 Jones did not cast a vote  
 Peete was absent



**APPROVED**

41. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTH SIDE OF BONNIE LANE; +/-241 FEET EAST OF N. GERMANTOWN PARKWAY, CONTAINING 0.42 ACRE (18,295 SQ. FT.) AND IS CURRENTLY GOVERNED BY AVANTI-NORTH PLANNED DEVELOPMENT, 6<sup>TH</sup> AMENDMENT (P.D. 98-359).**

Case No. PD 06-302

Applicant: J & L Holdings  
McCaskill Consultants – Representative

Request: Planned development amendment to allow automobile service and repair in an existing building formerly used by ‘Auto Radio’ in Area ‘A-3’ of the Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Marshall  
SECOND: Ford  
AYES: Brittenum, Chumney, Ford, Holt, Lowery, Marshall, McCormick, Sammons, Taylor and Chairman Mitchell  
Brown and Jones did not cast a vote  
Peete was absent

**APPROVED**

42. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF TREZEVANT STREET AND FAXON AVENUE, CONTAINING 1.07 ACRES IN THE DUPLEX RESIDENTIAL (R-D) DISTRICT.**

Case No. PD 06-304

Applicant: Alison Restivo (dba Midtown Revival, Inc.)  
Wayne Martin - Representative

Request: One single family residential lot in addition to the current residence on this site

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Marshall  
SECOND: Holt  
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Sammons, Taylor and Chairman Mitchell  
Peete was absent

**APPROVED**

43. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE, EAST STREET LOCATED NORTH OF UNION AVENUE, MONORE AVENUE LOCATED ON THE EAST SIDE OF DUDLEY STREET; EXTENDING TO 184’ WEST OF EAST STREET, CONTAINING 0.91 ACRE IN THE PUBLIC ROADWAYS SERVING MEMPHIS BIOWORKS FOUNDATION.**

Case No. SAC 05-622

Applicant: Memphis Biowork Foundation  
ETI – Representative

Request: Close & Vacate Street Right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Marshall

SECOND: Holt  
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Sammons, Taylor and Chairman Mitchell  
Peete was absent

**APPROVED**

44. **RESOLUTION APPROVING A USE VARIANCE LOCATED ON THE SOUTHWEST CORNER OF SAM COOPER BOULEVARD AND LIPFORD STREET, CONTAINING 0.75 ACRE IN THE SINGLE FAMILY RESIDENTIAL (R-S6) AND SINGLE FAMILY RESIDENTIAL INFILL (R-S6I) DISTRICTS.**
- Case No. UV 06-03

Applicant: Zion Temple C.O.G.I.C.  
William E. Holt, P.E. – Representative

Request: Off-Site Church Parking Lot

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Marshall  
SECOND: Holt  
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Sammons, Taylor and Chairman Mitchell  
Peete was absent

**APPROVED**

45. **RESOLUTION HONORING ADMINISTRATIVE PROFESSIONALS THROUGHOUT THE CITY.**
- MOTION: Chumney  
SECOND: Brown  
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Sammons, Taylor and Chairman Mitchell  
Peete was absent

**APPROVED**

**MINUTES**

Approval of the Minutes of the regular meeting of April 11, 2006 with the following motion:

MOTION: Holt  
SECOND: Chumney  
AYES: Brittenum, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Sammons, Taylor and Chairman Mitchell  
Brown did not cast a vote  
Peete was absent

**APPROVED**, as amended, by adding Items #29, #30 and #31

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

Chairman Mitchell recognized the following person from the audience:

David A. Shirley, 6781 Henredon, Mphs, TN 38141

**ADJOURNED MEETING AT 4:59 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

\_\_\_\_\_  
C H A I R M A N

Attest:

\_\_\_\_\_  
Deputy Comptroller/Council Records